

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview (972-583-8656) with Sidney L. Weatherford on July 2, 2009.

The application has been amended as follows: claim 1 on p. 3 of 13 and claim 15 on p. 5 of 13, adding the line after the preamble to read as follows: --a processor and memory executing.

IN THE CLAIMS:

2. Claims 1 and 15 are amended as follows:

1. A proxy computer system for at least one end-to-end data flow in a network, comprising:

a processor and memory executing:

an estimation unit, for estimating a current minimum data load necessary to occupy a bandwidth available to said flow in said network, said estimation unit outputting a flow's pipe capacity estimation;

a comparison unit, for comparing said estimated pipe capacity with a predetermined capacity threshold;

a decision unit, for deciding to proxy said flow if said estimated pipe capacity lies above said capacity threshold; and

a routing unit, for routing said flow according to the decision.

15. A proxy computer system for at least one end-to-end data flow in a network, comprising:

a processor and memory executing,

means for obtaining a flow's pipe capacity estimation, resulting from an estimation of a current minimum data load necessary to occupy a bandwidth available to said flow in said network,

means for performing a comparison of said estimated pipe capacity with a predetermined capacity threshold, and

means for performing a decision to proxy said flow if said estimated pipe capacity lies above said capacity threshold, and

means for initiating a routing of said flow according to the decision, when the product is run on a computer.

3. When taken in context the claim(s) as a whole was/were not disclosed in any prior art i.e., the dependent claims are allowed as they depend upon an allowable independent claim.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments regarding Statement of Reasons for Allowance."

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK O. AFOLABI whose telephone number is (571) 270-5627. The examiner can normally be reached on Monday-Friday between (8:30 am to 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NATHAN FLYNN can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M.O.A/

MARK O. AFOLABI
Examiner Art Unit 2454

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2454

/Nathan J. Flynn/
Supervisory Patent Examiner, Art Unit 2454